

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 ) MURs 4568, 4633,  
John and Ruth Stauffer; ) 4634, and 4736  
Sam Brownback for US Senate )  
and Alan Groesbeck, )  
as treasurer )

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on May 17, 2001, do hereby certify that the Commission took the following actions with respect to MURs 4568, 4633, 4634, and 4736:

A. Decided by a vote of 5-1 to:

1. Find probable cause to believe that John and Ruth Stauffer violated 2 U.S.C. § 441a(a)(1).
2. Find probable cause to believe that Sam Brownback for US Senate Committee and Alan Groesbeck, as treasurer, violated 2 U.S.C. § 441a(f), but take no action at this time and send the admonishment letter, as recommended in the General Counsel's Report dated May 9, 2001.
3. Take no further action against Senator Sam Brownback, and close the file as to him.

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4. Take no action at this time, but leave the file open, as to:
    - a) Conservative Campaign Fund and Peter Flaherty, as treasurer;
    - b) Conservative Victory Committee and Leif Noren, as treasurer;
    - c) Eagle Forum PAC and Margaret Gaul, as treasurer;
    - d) Free Congress PAC and Keri Pendleton, as treasurer; and
    - e) Faith, Family, and Freedom PAC and Devin Anderson, as treasurer.
  5. Take no action at this time, but leave the file open, as to:
    - a) American Free Enterprise PAC and David Bauer, as treasurer;
    - b) Citizens Allied for Free Enterprise PAC and Diane Knight, as treasurer;
    - c) Citizens United Political Victory Fund and Kevin Allen, as treasurer; and
    - d) Madison Project, Inc. Fund and Timothy Teepell, as treasurer.
  6. Authorize contingent suit authority.
  7. Approve the appropriate letters.

Commissioners Mason, McDonald, Sandstrom, Thomas, and Wold voted affirmatively for the decision. Commissioner Smith dissented.

(continued)

B. Failed by a vote of 1-5 to pass a motion to:

1. Take no further action and close the file as to John and Ruth Stauffer.
2. Take no further action and close the file as to the Sam Brownback for US Senate Committee and Alan Groesbeck, as treasurer.
3. Take no further action against Senator Sam Brownback, and close the file as to him.
4. Take no further action against, and close the file as to:
  - a) Conservative Campaign Fund and Peter Flaherty, as treasurer;
  - b) Conservative Victory Committee and Leif Noren, as treasurer;
  - c) Eagle Forum PAC and Margaret Gaul, as treasurer;
  - d) Free Congress PAC and Keri Pendleton, as treasurer; and
  - e) Faith, Family, and Freedom PAC and Devin Anderson, as treasurer.
5. Take no action at this time, but leave the file open, as to:
  - a) American Free Enterprise PAC and David Bauer, as treasurer;
  - b) Citizens Allied for Free Enterprise PAC and Diane Knight, as treasurer;
  - c) Citizens United Political Victory Fund and Kevin Allen, as treasurer;
  - d) Madison Project, Inc. Fund and Timothy Teepell, as treasurer.

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6. Approve the appropriate letters.

Commissioner Smith voted affirmatively for the decision.

Commissioners Mason, McDonald, Sandstrom, Thomas, and Wold  
dissented.

C. Failed by a vote of 3-3 to pass a motion to:

Approve the conciliation agreement  
for John and Ruth Stauffer, as  
recommended in the General Counsel's  
Report dated May 9, 2001.

Commissioners McDonald, Sandstrom, and Thomas voted  
affirmatively for the decision. Commissioners Mason, Smith,  
and Wold dissented.

D. Decided by a vote of 5-1 to:

1.

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Federal Election Commission  
Certification for  
MURs 4568, 4633, 4634, & 4736  
May 17, 2001

Page 5

b)

2. Approve the appropriate revised letter  
to the Sam Brownback for US Senate  
Committee.

Commissioners Mason, McDonald, Sandstrom, Thomas, and  
Wold voted affirmatively for the decision. Commissioner Smith  
dissented.

Attest:

May 18, 2001  
Date

Darlene Harris  
Darlene Harris  
Deputy Secretary of  
the Commission

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

May 21, 2001

**BY FACSIMILE AND U.S. MAIL**

Benjamin L. Ginsberg, Esq.  
William J. McGinley, Esq.  
Patton Boggs, L.L.P.  
2550 M Street, N.W.  
Washington, D.C. 20037

RE: MURs 4568, 4633, 4634 and 4736  
John and Ruth Stauffer


Dear Messrs. Ginsberg and McGinley:

On May 17, 2001, the Federal Election Commission found that there is probable cause to believe that your clients, John and Ruth Stauffer, violated 2 U.S.C. § 441a(a)(1), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with excessive contributions that they made to the Sam Brownback for US Senate Committee.

The Commission has a duty to attempt to correct such violations for a period of at least 30 days and no more than 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement after 30 days, the Commission has authorized this Office to institute a civil suit in United States District Court and seek payment of a civil penalty.

please contact Mark Shonkwiler  
the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

  
Lois G. Lerner  
Acting General Counsel

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